

IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*

State Engineer  
Plaintiff,

69cv07941 JEC-ACE

v.

Ramon Aragon, *et al.*,  
Defendants.

RIO CHAMA STREAM SYSTEM  
Section 3: Rio Nutrias, Rio Cebolla  
& Canjilon Creek  
Subfile No. CHCJ-003-0043

**ORDER VACATING DEFAULT JUDGMENT**  
**AND GRANTING LEAVE TO FILE A CONSENT ORDER**  
**IN SUBFILE NO. CHCJ-003-0043**

This matter is before the Court upon on the State of New Mexico *ex rel.* State Engineer's October 29, 2002 Motion to Vacate Default Judgment and for Leave to File a Consent Order in Subfile No. CHCJ-003-0043 (Docket No. 6925). The Motion requests an order to vacate the August 29, 2002 Order Granting Default Judgment (No. 6835) with respect to defendants Tony M. Martinez and Carla Martinez and that the Order Granting Default Judgment remain in effect with respect to the other defendants named therein. The Court, being fully advised, finds the State's motion is well taken and should be GRANTED.

IT IS THEREFORE ORDERED that the August 29, 2002 Order Granting Default Judgment is VACATED with respect to defendants Tony M. Martinez and Carla Martinez, and only these defendants.

IT IS FURTHER ORDERED that the State and the defendants may file a consent order in subfile CHCJ-003-0043 that will adjudicate the water rights of the defendants by agreement.

/electronic signature/

UNITED STATES DISTRICT JUDGE  
JOHN EDWARDS CONWAY

Recommended for approval:

/electronic signature/

SPECIAL MASTER VICKIE L. GABIN